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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,607	02/25/2005	Marc Schluter	071308.0975 (2002P13832WO)	7977
31625 7590 11/28/2008 BAKER BOTTS L.L.P. PATENT DEPARTMENT 98 SAN JACINTO BLVD., SUITE 1500 AUSTIN, TX 78701-4039			EXAMINER CHANG, JUNGWON	
			ART UNIT 2454	PAPER NUMBER
			MAIL DATE 11/28/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/525,607	<b>Applicant(s)</b> SCHLUTER ET AL.	
	<b>Examiner</b> JUNGWON CHANG	<b>Art Unit</b> 2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 17-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to amendment filed on 8/18/08. Claims 1-16 have been canceled, and new claims 34-37 are added.
2. Claims 17-37 are presented for examination.
3. This Action is Final.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 17-19 and 24-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghaffar et al, (US 6,978,316), hereinafter Ghaffar, in view of Gledje (US 2002/0032771).
6. As to claims 17 and 34, Ghaffar discloses the invention as claimed, including a method for transmitting user data objects from a data supply component to a terminal of a user, via a connection component (fig. 3), the method comprising:  
providing a resulting profile information object which specifies process

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capabilities of said terminal (col. 5, lines 15-50);

inserting, in the resulting profile information, a first item of profile information which specifies which type of the user data objects may be directly processed by the terminal (310, “store profile in database”; 350, fig. 3; col. 5, line 16 - col. 6, line 2); and

transmitting the user data objects of the type in accordance with the first item of profile information from the data supply component to the terminal via the connection component (395, fig. 3; col. 6, lines 6-13).

7. Although Ghaffar discloses profile information object which specifies process capabilities of said terminal (col. 5, lines 15-50) and a connection component (120, “Internet”, 130, “wireless”, fig. 1), Ghaffar does not specifically disclose profile information specifies the connection component. Gledje discloses profile information specifies the connection component (fig. 2B; page 3, 0025, “type of connection field”). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Ghaffar and Gledje because Gledje’s specifying the connection component would identify the type of connection and the amount of bandwidth of a connection between the terminal and the network, as taught by Gledje (Gledje, page 3, 0025).

8. As to claims 18 and 35, Ghaffar discloses a method for transmitting user data objects as claimed in claims 17 and 34, the method further comprising inserting a second item of profile information into the resulting profile information object which

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specifies which type of the user data objects may be converted by the connection component into the type of user data objects which may be processed by the terminal (230, fig. 2; col. 5, line 51 - col. 6, line 2).

9. As to claims 19 and 36, Ghaffar discloses a method for transmitting user data objects as claimed in claims 18 and 35, further comprising transmitting the user data objects of the type in accordance with the second profile information from the data supply component to the terminal if no user data objects of the type in accordance with the first profile information may be provided by the data supply component (col. 5, lines 43-50, "appropriate profile").

10. As to claim 24, Ghaffar discloses a method for transmitting user data objects as claimed in claim 17, wherein the terminal is located in a first telecommunication network and at least one of the data supply component and a further data supply component connected thereto are located in a second telecommunication network, with the first and second telecommunication networks being connected to each other (fig. 1).

11. As to claim 25, Ghaffar discloses a method for transmitting user data objects as claimed in claim 24, wherein the connection component is arranged in one of the first and second telecommunication networks or is intended to connect the first and second telecommunication networks together (fig. 1).

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12. As to claim 26, Ghaffar discloses a method for transmitting user data objects as claimed in claim 24, wherein the first telecommunication network is a mobile radio network which is operated in accordance with at least one of a GSM standard and a UMTS standard (130, fig. 1; col. 4, lines 31-42).

13. As to claim 27, Ghaffar discloses a method for transmitting user data objects as claimed in claim 26, wherein the user data objects are transmitted to the terminal in the first telecommunication network via a Wireless Session Protocol.

14. As to claim 28, Ghaffar discloses a method for transmitting user data objects as claimed in claim 24, wherein the second telecommunication network is a network based on an Internet protocol in which data is transmitted via a Hypertext Transfer Protocol (120, fig. 1).

15. As to claim 29, Ghaffar discloses a method for transmitting user data objects as claimed in claim 17, wherein the terminal includes a radio module (col. 4, lines 31-42, "cellular telephone").

16. As to claim 30, Ghaffar discloses a method for transmitting user data objects as claimed in claim 29, wherein the terminal is one of a mobile telephone, a cordless telephone, a portable computer and a smartphone (col. 4, lines 31-42, "cellular telephone").

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17. As to claim 31, Ghaffar discloses wherein the connection component is a WAP gateway a wireless network (130, fig. 1; 230, fig. 2).

18. As to claim 32, Ghaffar discloses a method for transmitting user data objects as claimed in claim 17, wherein the user data objects include at least one of text information, audio information, video information, executable programs and software modules (col. 1, lines 34-44, "email text").

19. As to claim 33, it is rejected for the same reasons set forth in claim 17 above. In addition, Ghaffar discloses a data supply component (140, fig. 1); a connection component (120, 130, fig. 1), and a terminal of a user (100, 110, fig. 1).

20. Claims 20-23 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghaffar, Gledje, in view of Yanosy (US 2004/0204073).

21. As to claims 20-23 and 37, although Ghaffar discloses a plurality of profiles (col. 2, line 60 - col. 3, line 15; col. 5, lines 16-33), Ghaffar does not specifically disclose the first sub-profile information object by the second profile information to form a second sub-profile information object. Yanosy discloses the first sub-profile information object by the second profile information to form a second sub-profile information object (105, 106, fig. 6; 1408, fig. 15, "edit profile"; page 1, 0025; page 4, 0044). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to

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combine the teachings of Ghaffar and Yanosy because Yanosy's teachings would allow the user dynamically to edit the profile information, as taught by Yanosy (page 4, 0044).

22. Applicant's arguments with respect to claims 17-37 have been considered but are moot in view of the new ground(s) of rejection.

23. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 6:30-2:00 (Monday-Friday).



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jungwon Chang/  
Primary Examiner, Art Unit 2454  
November 24, 2008